

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

RIN 0648-AV61

**Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Amendment 3 to the Fishery Management Plan for the Spiny Lobster Fishery of the Caribbean and Amendment 5 to the Joint Fishery Management Plan for the Spiny Lobster Fishery of the Gulf of Mexico and South Atlantic**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of intent to prepare a draft environmental impact statement (DEIS); scoping meetings; request for comments.

**SUMMARY:** The Caribbean Fishery Management Council (Caribbean Council) intends to prepare a DEIS to describe and analyze management alternatives to be included in an amendment to the Fishery Management Plan (FMP) for the Spiny Lobster Fishery of Puerto Rico and the U.S. Virgin Islands and the FMP for the Spiny Lobster Fishery of the Gulf of Mexico and South Atlantic. These alternatives will consider measures to implement a minimum import size on spiny lobster. The purpose of this notice of intent is to solicit public comments on the scope of issues to be addressed in the DEIS.

**DATES:** Written comments on the scope of issues to be addressed in the DEIS must be received by the Caribbean Council by November 15, 2007. A series of scoping meetings will be held in October 2007. See **SUPPLEMENTARY INFORMATION** for the specific dates, times, and locations of the scoping meetings.

**ADDRESSES:** Written comments on the scope of the DEIS and requests for additional information on the amendment should be sent to the Caribbean Fishery Management Council, 268 Muñoz Rivera Avenue, Suite 1108, San Juan, Puerto Rico 00918; telephone: 787-766-5927; fax: 787-766-6239. Comments may also be sent by e-mail to [Graciela.Garcia-Moliner@noaa.gov](mailto:Graciela.Garcia-Moliner@noaa.gov).

**FOR FURTHER INFORMATION CONTACT:** Graciela Garcia-Moliner; phone: 787-766-5927; fax: 787-766-6239; e-mail: [Graciela.Garcia-Moliner@noaa.gov](mailto:Graciela.Garcia-Moliner@noaa.gov).

**SUPPLEMENTARY INFORMATION:** Spiny Lobster (*Panulirus argus*) in the Southeast Region is managed under a

Caribbean Council FMP and a joint Gulf of Mexico and South Atlantic Council FMP. All three Southeast fishery management councils have expressed concern recently about the effects of imports of spiny lobster that are smaller than the size limits in the U.S. spiny lobster FMPs. In many instances, imports are also undersized based on size limits established in the country of origin. Many Caribbean and Central and South American nations share these concerns, and scientific evidence suggests that larvae from one area or region within this species' range may contribute to stock recruitment in other areas or regions.

The Caribbean Council has expressed intent to amend its Spiny Lobster FMP to consider application of a minimum size limit on imported spiny lobster. NMFS believes amendment of the Gulf of Mexico and South Atlantic Spiny Lobster FMP should be addressed concurrently. After conferring with the Gulf of Mexico and South Atlantic Councils, the Caribbean Council was designated as the administrative lead to address spiny lobster issues. Thus, the Caribbean Council will prepare one document, which contains an amendment to the Caribbean Spiny Lobster FMP and also an amendment to the Gulf and South Atlantic Spiny Lobster FMP.

The Caribbean Council will develop a DEIS to describe and analyze management alternatives to implement a minimum size limit on imported spiny lobster. The amendment will provide updates to the best available scientific information regarding *Panulirus argus*, and based on that information, the Councils will determine what actions and alternatives are necessary to protect spiny lobster throughout its range. Those alternatives may include, but are not limited to: A "no action" alternative regarding the fishery; alternatives to restrict the minimum import size based on carapace length; alternatives to restrict the minimum import size based on tail length; and alternatives to restrict the importation of meat, which is not whole lobster or tailed lobster.

In accordance with NOAA's Administrative Order NAO 216-6, Section 5.02(c), the Caribbean Council has identified this preliminary range of alternatives as a means to initiate discussion for scoping purposes only. This may not represent the full range of alternatives that eventually will be evaluated by the Caribbean Council.

Once the Caribbean Council completes the DEIS associated with the amendment to the Spiny Lobster Fishery of the Caribbean, it must be approved by a majority of the voting

members, present and voting, of the Caribbean Council. Similarly, the Gulf of Mexico and South Atlantic Councils Spiny Lobster FMP amendment and associated DEIS must be approved by those Councils. After the Councils approve this document, the DEIS will be submitted to NMFS for filing with the Environmental Protection Agency (EPA). The EPA will publish a notice of availability of the DEIS for public comment in the **Federal Register**. The DEIS will have a 45-day comment period. This procedure is pursuant to regulations issued by the Caribbean Council on Environmental Quality (CEQ) for implementing the procedural provisions of the National Environmental Policy Act (NEPA; 40 CFR parts 1500-1508) and to NOAA's Administrative Order 216-6 regarding NOAA's compliance with NEPA and the CEQ regulations.

The Councils will consider public comments received on the DEIS in developing the final environmental impact statement (FEIS) and before adopting final management measures for the amendment. The Councils will submit both the final joint amendment and the supporting FEIS to NMFS for review by the Secretary of Commerce (Secretary) under the Magnuson-Stevens Fishery Conservation and Management Act.

NMFS will announce, through a notice published in the **Federal Register**, the availability of the final joint amendment for public review during the Secretarial review period. During Secretarial review, NMFS will also file the FEIS with the EPA for a final 30-day public comment period. This comment period will be concurrent with the Secretarial review period and will end prior to final agency action to approve, disapprove, or partially approve the final joint amendment.

NMFS will announce, through a notice published in the **Federal Register**, all public comment periods on the final joint amendment, its proposed implementing regulations, and its associated FEIS. NMFS will consider all public comments received during the Secretarial review period, whether they are on the final amendment, the proposed regulations, or the FEIS, prior to final agency action.

**Scoping Meeting Dates, Times, and Locations**

All scoping meetings are scheduled to be held from 7 p.m. to 10 p.m. The meetings will be physically accessible to people with disabilities. Request for sign language interpretation or other auxiliary aids should be directed to the Caribbean Council (see **ADDRESSES**).

October 16—Windward Passage Hotel, Charlotte Amalie, St. Thomas, USVI.

October 17—Buccaneer Hotel, Christiansted, St Croix, USVI.

October 23—Pierre Hotel, De Diego Avenue, San Juan, PR.

October 24—Ponce Golf and Casino Resort, 1150 Caribe Avenue, Ponce, PR.

October 25—Mayaguez Holiday Inn, 2701 Highway #2, Mayaguez, PR.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: October 11, 2007.

**Alan D. Risenhoover,**

*Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 07-5107 Filed 10-11-07; 4:13 pm]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN: 0648-XD37**

#### North Pacific Fishery Management Council; Public Meeting

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of a public meeting.

**SUMMARY:** The North Pacific Fishery Management Council (Council) Salmon Bycatch Workgroup will meet in Anchorage, AK.

**DATES:** The meeting will be held on November 2, 2007, from 9 a.m. to 2 p.m.

**ADDRESSES:** The meeting will be held at the Hawthorn Suites, 1110 West 8th Avenue, Anchorage, AK.

*Council address:* North Pacific Fishery Management Council, 605 W. 4th Ave., Suite 306, Anchorage, AK 99501-2252.

**FOR FURTHER INFORMATION CONTACT:** Diana Stram, Council staff; telephone: (907) 271-2809

**SUPPLEMENTARY INFORMATION:** The Committee will discuss salmon bycatch cap formulation alternatives for Bering Sea and Aleutian Islands trawl fisheries and develop recommendations.

#### Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Gail Bendixen at (907) 271-2809 at least 7 working days prior to the meeting date.

Dated: October 11, 2007.

**Tracey L. Thompson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. E7-20322 Filed 10-15-07; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

[Docket No. PTO-P-2007-0037]

#### Grant of Interim Extension of the Term of U.S. Patent No. 4,971,802; MIFAMURTIDE

**AGENCY:** United States Patent and Trademark Office, Commerce.

**ACTION:** Notice of Interim Patent Term Extension.

**SUMMARY:** The United States Patent and Trademark Office has issued a certificate under 35 U.S.C. 156(d)(5) for a one-year interim extension of the term of U.S. Patent No. 4,971,802.

**FOR FURTHER INFORMATION CONTACT:** Raul Tamayo by telephone at (571) 272-7728; by mail marked to his attention and addressed to the Commissioner for Patents, Mail Stop Hatch-Waxman PTE, P.O. Box 1450, Alexandria, VA 22313-1450; by fax marked to his attention at (571) 273-7728, or by e-mail to [Raul.Tamayo@uspto.gov](mailto:Raul.Tamayo@uspto.gov).

**SUPPLEMENTARY INFORMATION:** Section 156 of Title 35, United States Code, generally provides that the term of a patent may be extended for a period of up to five years if the patent claims a product, or a method of making or using a product, that has been subject to certain defined regulatory review, and that the patent may be extended for interim periods of up to a year if the regulatory review is anticipated to extend beyond the expiration date of the patent.

On August 8, 2007, IDM Pharma, agent/licensee of patent owner Novartis, timely filed an application under 35 U.S.C. 156(d)(5) for an interim extension of the term of U.S. Patent No. 4,971,802. Claims of the patent cover the product Mifamurtide having the active ingredient muramyl tripeptide phosphatidyl ethanolamine. The application indicates, and the Food and Drug Administration has confirmed, that a New Drug Application for the human drug product Mifamurtide has been filed and is currently undergoing regulatory review before the Food and Drug Administration for permission to market or use the product commercially.

Review of the application indicates that, except for permission to market or

use the product commercially, the subject patent would be eligible for an extension of the patent term under 35 U.S.C. 156, and that the patent should be extended for one year as required by 35 U.S.C. 156(d)(5)(B). Because it is apparent that the regulatory review period will continue beyond the expiration date of the patent (November 20, 2007), interim extension of the patent term under 35 U.S.C. 156(d)(5) is appropriate.

An interim extension under 35 U.S.C. 156(d)(5) of the term of U.S. Patent No. 4,971,802 is granted for a period of one year from the expiration date of the patent, i.e., until November 20, 2008.

Dated: October 4, 2007.

**Jon W. Dudas,**

*Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.*

[FR Doc. E7-20372 Filed 10-15-07; 8:45 am]

**BILLING CODE 3510-16-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[IC07-574-001, FERC-574]

#### Commission Information Collection Activities, Proposed Collection; Comment Request; Extension

October 4, 2007.

**AGENCY:** Federal Energy Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** In compliance with the requirements of section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507, the Federal Energy Regulatory Commission (Commission) has submitted the information collection described below to the Office of Management and Budget (OMB) for review and extension of this information collection requirement. Any interested person may file comments directly with OMB and should address a copy of those comments to the Commission as explained below. The Commission did not receive any comments in response to an earlier **Federal Register** notice of May 29, 2007 (72 FR 29489-29490) and has made this notification in its submission to OMB. Copies of the submission were also submitted to the commenters.

**DATES:** Comments on the collection of information are due by November 13, 2007.

**ADDRESSES:** Address comments on the collection of information to the Office of Management and Budget, Office of